

SCANNED

DATE: 12/27/05

BY: P.S.

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANTHONY BAYAD

Plaintiff,

v.

JOHN CHAMBERS, PATRICIA
RUSSO, ANTHONY SAVASTANO
and CARL WIESE,

Defendants.

CIVIL ACTION

No. 04-cv-10468-PBS

THE HONORABLE JUDGE PATTI B. SARIS

**" ARTICLE BY MR. RICHARD J. HAFETS " PARTNER OF DLA PIPER
RUDNICK GRAY CARY DEFENDANTS ATTORNEY(S) IN SUPPORT OF DOCKET
ENTRY # 1 AND DOCKETS ENTRY #1 OF THE COUNT OF THE RACIALLY
AUDIO E-MAIL SENT VIA CISCO NETWORK BY CISCO MANAGER BRUCE
SEBASTIAN TARGETING SPECIFICALLY ANTHONY BAYAD AN AMERICAN ARAB
OF RACE TO HUMILIATE-DEGRADE-HARASS-RETALIATE-INFLECT EMOTIONAL
DISTRESS UPON MR. ANTHONY BAYAD
(ATTACHED AS EXHIBIT A HEREIN)**

Plaintiff Pro Se states to the honorable Court that
defendant(s) Savastano and Wiese ¹ have once directed other(s)
to call him in person and by using company network' e-mail(s),
once at lucent technologies the year of 1996 -1997, where they
called him **Sand Niger** -and **Dirty Arab** -and **flying Carpet**, was
filed with this Court, additionally they terminated his
employment in German Nazi Gestapo style techniques at Lucent
Technologies and International Network Services and now Cisco;

¹ Defendants during their employment at Lucent Technologies, they have terminated Pro Se Bayad ' employment at will, using the Gestapo Nazi German style to torture him the year 1997, and the same year they proceeded with the same act at International Network Services Inc., were the same defendants Savastano and Wiese terminated Pro Se Bayad ' employment on his first day on the job (joke), and now Cisco Systems again the same defendants Deja Vue discriminatory act , where he stated with sarcasm to them by forcing him to sign **"Thank you for every thing"**, and the last time Pro Se refuses to sign their papers he ended up in **Company fountain and hospital. It is a shame**

Such conduct demonstrate a pattern of discriminatory conduct on the part of Defendant(s) Savastano and Wiese. This Court has previously found that, " Plaintiff[s] (Pro Se Bayad), should be permitted to show that defendants ' past practices manifest a pattern of . . .discrimination." Jackson v. Harvard, 111 F.R.D. 472, 475 (D.Mass. 1986) (Garrity, D.J). In other words, evidence of pattern of behavior is relevant to discrimination claims such as those which have been asserted by Pro Se Anthony Bayad (Lucent Technologies Inc. and International Services Inc.) see e.g. Scales v. J.C. Bradford and Co., 925 F.R.D. 901, 906 (6th Cir. 1991)(" It is well settled the information concerning an employer's general employment practices is relevant to title 42 § 1981 (in similarity to title VII) individual disparate impact claim"); and Glenn v. Williams, 209 F.R.D. 279, 282 (D.D.C. 2002)(similar act of discrimination is admissible); and United States v. Massachusetts Indust. Fin. Agency, 162 F.R.D. 410, 413 (D. Mass. 1995) (" evidence of how organization (Cisco Systems) treated Pro Se Bayad is relevant to a determination of the same act is relevant with respect to all Pro Se claim(s) and count(s)").

Now comes the same defendants Savastano and Wiese and both Officer of the Company Cisco Systems, they again directed their subordinate and buddy of them , Cisco Manager Bruce Bastian to sent Racial Jokes targeting the way Pro Se Bayad speaks English,

and where they state in such racial Joke audio subject focus in it are arab(s) from Saudi Arabia and London Heathrow airport, where the fact filed with this Court evidencing that Pro Se Bayad was called by Cisco at it expenses to travel to Dubai and London , where Defendants denied him the position for the North Africa Region (patter of discrimination) and it is to the Court to draw its own conclusion, such audio jokes was sent from North Carolina to Cisco Employee(s), where some of them reside in many part of the country , and to point to Court that Bayad works in Massachusetts and no one or any one related to Pro Se Bayad found working at the office in North Carolina with the author the racial audio e-mail, moreover Cisco Have acknowledged it (Racial Audio E-mail) that is against the Business ethics and conduct (see **Docket Entry # 1** the Cisco Business ethics and conduct also called the Law of Cisco). Furthermore the Defendants ' attorney openly published an article (see Exhibit A attached hereto), where Dla Piper attorney states in his Article, also it is the work of DLA Piper Rudnick, that Company as Cisco Systems or Lucent Technologies under Federal Law are Liable, and Mr. Richard J. Hafets of DLA. Piper Rudnick the attorneys for Defendants quoted

as follow:

" These policies typically state that computer resources, such **e-mail**, are the excusive property of the company (Cisco Systems or Lucent technologies), that the resource are only to be used for company purposes, and that the

company purposes, and that the company reserves the right to monitor its systems..." (also he stated)

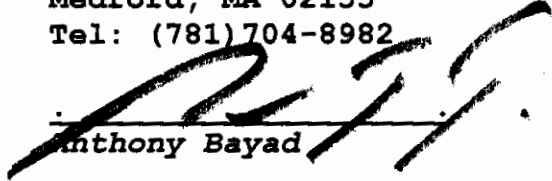
An employer such Cisco system is held liable under federal law, such Title VII in similarity **Title 42 § 1981** and **§ 1985**, if an employee (as Bruce Bastian a Cisco Manager) uses company (Cisco) computer and its private networks that provide internet access of the routing of e-mail(s) to send sexually or ***(racial e-mails)** (see page 33-34 of Exhibit A attached herein of his memorandum of law(s) in support of his statements)."

Hence Attorneys Bruce Falby and his partners **admitted-acknowledged** that such conduct of their clients is unlawful, and such admission and acknowledgement was made in **public** statement(s) or publication(s), that Bruce Bastian and the same Defendants from Lucent Technologies, International Network Service and now Cisco Systems in this litigation, these defendants Savastano and Wiese broke the law and violate Pro Se Bayad ' very basic Federally protected Civil rights and his right of Due Process guarantee by the U.S. Constitution and Massachusetts state law. See Dla Piper Rudnick own statement of admission is attached as **Exhibit A** hereto to this document.

CERTIFICATION OF SERVICE

It is hereby certified that a true and correct copy of the forgoing motion in the above caption matter in Chambers et, al., was furnished via mail: to Bruce E. Falby BBO# 544143, Dla Piper Rudnick Gray Cary, one International Place, Boston MA 02110, on this 22 day of December 2005.

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Anthony Bayad